

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Berggren, Bostrom, Elebring, Fallefors, Wilstermann, and Greasley**Serial No.: **10/538,318**Group Art Unit: **1625**Filed: **June 13, 2005**Examiner: **Patricia L. Morris**Title: **4,5-Diarylthiazole Derivatives As CB-1 Ligands****Filed by EFS Web**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**RESPONSE TO THE RESTRICTION REQUIREMENT**

The present Response is filed in regard to the Restriction Requirement mailed October 17, 2007 in regard to the above-identified patent application. The period for responding to the Restriction Requirement has been extended, by enclosure of a petition and fee, to and through December 17, 2007.

The Examiner has restricted claims 1-10 into ten groups. Applicants note that a Preliminary Amendment was filed on June 13, 2005 in which claims 4 and 6 were canceled and new claim 11 was added.

In any event, Applicants elect Group I, containing claims 1-3 and 5 where "R<sup>1</sup> and R<sup>2</sup> are phenyl and R<sup>3</sup> represents non-heterocyclic groups."

The Examiner further asserts that Applicants are required to elect a single compound if Group I is elected. Applicants' undersigned representative understands the Examiner's request to be a requirement for an election of species. Although Applicants submit that the entire scope of the claims within elected Group I should be searched, to the extent that an election of species is requested, Applicants elect the compound of Example 2. Claims 1-3 and 5 read on the elected species.

Applicants submit that the present response is complete and complies with the requirements of 35 U.S.C. §121.

The Commissioner is hereby authorized to debit any underpayment of fee due or credit any overpayment to Deposit Account No. 50-0436.

Respectfully submitted,

/Paul K. Legaard, Reg. # 38534/

Paul K. Legaard, Ph.D.

**Date: 14 December 2007**

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